



SEPTEMBER 2005 (revised October 2005)

# MONGOLIA

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Home Office Science and Research Group

COUNTRY OF ORIGIN INFORMATION SERVICE

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Country reports are produced by the Science & Research Group of the Home Office to provide caseworkers and others involved in processing asylum applications with accurate, balanced and up-to-date information about conditions in asylum seekers' countries of origin.

They contain general background information about the issues most commonly raised in asylum/human rights claims made in the UK.

The reports are compiled from material produced by a wide range of recognised external information sources. They are not intended to be a detailed or comprehensive survey, nor do they contain Home Office opinion or policy.

Second edition (Scope of document section and contents revised October 2005)

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## 1. Scope of document

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- 1.01 This Country of Origin Information Report (COI Report) has been produced by Research Development and Statistics (RDS), Home Office, for use by officials involved in the asylum/human rights determination process. The COI Report provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. It includes information available up to 1 July 2005.
- 1.02 The COI Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any Home Office opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.
- 1.03 The COI Report aims to provide a brief summary of the source material identified, focusing on the main issues raised in asylum and human rights applications. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.
- 1.04 The structure and format of the COI Report reflects the way it is used by Home Office caseworkers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.
- 1.05 The information included in this COI Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless this is stated.
- 1.06 As noted above, the COI Report is a collation of material produced by a number of reliable information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties etc. COI Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted text; its use is not intended to imply any comment on the content of the material.
- 1.07 The COI Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in more

recent documents. All sources contain information considered relevant at the time this Report was issued.

- 1.08 This COI Report and the accompanying source material are public documents. All COI Reports are published on the RDS section of the Home Office website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified in the Report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the Home Office upon request.
- 1.09 In producing this COI Report, the Home Office has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to the Home Office as below.

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- 1.10 The independent Advisory Panel on Country Information was established under the Nationality, Immigration and Asylum Act 2002 to make recommendations to the Home Secretary about the content of the Home Office's country information material. The Advisory Panel welcomes all feedback on the Home Office's COI publications and other country information material. Information about the Panel's work can be found on its website at [www.apci.org.uk](http://www.apci.org.uk)
- 1.11 It is not the function of the Advisory Panel to endorse any Home Office material or procedures. In the course of its work, the Advisory Panel directly reviews the content of selected individual Home Office COI publications, but neither the fact that such a review has been undertaken, nor any comments made, should be taken to imply endorsement of the material. Some of the material examined by the Panel relates to countries designated or proposed for designation for the Non-Suspensive Appeals (NSA) list. In such cases, the Panel's work should not be taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

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## 2. Geography

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- 2.01 As reported by Europa Regional Surveys of the World: The Far East and Australasia (2005), Mongolia occupies a total land area of 1,564m sq. km and is situated in east-central Asia. It has land borders with the Russian Federation to the North and the People's Republic of China (PRC) to the east, south and west. Its population was estimated in 2003 at 2.5 million (official estimate). [1] (p670) As noted by the CIA World Fact Book on Mongolia last updated on 17 May 2005, the country is completely landlocked and has no coastline. [2] (p2) [3] (map)
- 2.02 As reported by the Mongolian Embassy in India on their website accessed on 7 June 2005, "Mongolia is administratively divided into 21 aimags (provinces) and 334 soums (counties). The capital of Mongolia is Ulaanbaatar [Ulan Bator] which has a population of about 600 thousand." [23a]
- 2.03 As noted by the US State Department in their background notes for Mongolia, last updated in August 2004:
- "Ethnic Mongols account for about 85% of the population and consist of Khalkha and other groups, all distinguished primarily by dialects of the Mongol language... About 4 million Mongols live outside Mongolia; about 3.4 million live in China, mainly in the Inner Mongolia Autonomous Region, and some 500,000 live in Russia, primarily in Buryatia and Kalmykia." [4] (p1)
- 2.04 As noted by the same source, the main language is Khalkha Mongol, which is spoken by 90% of the population. Other languages include Kazakh, Russian, English, German and Japanese. [4] (p2)
- 2.05 This source also stated that 85% of the population are Mongol (mostly Khalkha), 7% are Turkic (mostly Kazakh), 4.6% are Tungusic and 3.4% are from other groups, including Chinese and Russian. 94% of the population are Buddhists. [4] (p1)

**(See also Section 6.B: [Ethnic groups](#))**

For further information on geography, refer to Europa Regional Surveys: The Far East and Australasia (2005). [1]

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### 3. Economy

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- 3.01 As noted by the CIA World Fact Book on Mongolia last updated on 17 May 2005:

“Economic activity in Mongolia has traditionally been based on herding and agriculture... Soviet assistance, at its height one-third of GDP, disappeared almost overnight in 1990 and 1991 at the time of the dismantlement of the USSR. The following decade saw Mongolia endure both deep recession due to political inaction and natural disasters, as well as economic growth due to reform embracing free-market economics and extensive privatization of the formerly state-run economy.” [2] (p5-6)

- 3.02 The same source continued:

“Severe winters and summer droughts in 2000, 2001, and 2002 resulted in massive livestock die-off and zero or negative GDP growth. This was compounded by falling prices for Mongolia’s primary sector exports and widespread opposition to privatization. Growth improved from 2002 at 4% to 2003 at 5%, due largely to high copper prices and new gold production, with the government claiming a 10.6% growth rate for 2004 that is unconfirmed... China is Mongolia’s chief export partner and a main source of the ‘shadow’ or ‘grey’ economy. The World Bank and other international financial institutions estimate the grey economy to be at least equal to that of the official economy. The actual size of this grey – largely cash – economy is difficult to calculate since the money does not pass through the hands of tax authorities or the banking sector. Remittances from Mongolians working abroad both legally and illegally constitute a sizeable portion. Money laundering is growing as an accompanying concern.” [2] (p5-6)

- 3.03 As reported by the US State Department Report 2004 (USSD), published on 28 February 2005:

“The legal minimum wage established for the year was under \$30 (30,000 tugrik) per month. This minimum wage, which applied to both public and private sector workers and was enforced by the Ministry of Social Welfare and Labor, was insufficient to provide a decent standard of living for a worker and family. Virtually all civil servants earned more than this amount, and many in private businesses earned considerably more. Some employees received housing benefits.” [4b] (Section 6e)

#### POVERTY

- 3.04 As reported by UN in Mongolia in a report dated 10 December 2004:

“With the poverty line at around 25,000 Tugrugs per person per month, the incidence of poverty was 36%, which means that around 900,000 individuals are considered poor. In other words, 36 out of every 100 Mongolians do not have the necessary means to purchase the value of a minimum food and non-food package. Other poverty measures confirm that the depth of poverty and inequality among the poor are substantial: on average, the consumption of each person in the country is 11 percent below the poverty line.” [6a]

**CURRENCY**

- 3.05 As noted by Europa Regional Surveys of the World: The Far East and Australasia (2005), the Mongolian currency is the togrog (tugrik). 100 mongo equals 1 togrog. [1] (p686) As noted by Yahoo currency converter the rate of exchange was 2,166 tugrik to the pound sterling on 21 June 2005. [27]

**CORRUPTION**

- 3.06 According to the NGO Transparency International (TI) and their Corruption Perception Index 2004, Mongolia is in the bottom half of the table when it comes to its own citizen's perceptions of the level of corruption – it scored 3 out of ten (ten being zero perception of corruption). According to TI a score of less than 3 out of 10 indicates “rampant corruption.” [5]
- 3.07 As reported by *UBPost* on 5 May 2005, “Permanent Representative of Mongolia to the United Nations, Ch.Baatar, signed the United Nations Convention Against Corruption on April 29 at the UN Headquarters in New York City. Mongolia became the 119th country to have signed the UN convention since its adoption in October 31, 2003.” [33a]

(See also Section 5: [Judiciary](#))

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## 4. History

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### 1924-1990: SOVIET DOMINATION

- 4.01 As reported by the FCO on their country profile for Mongolia, last reviewed on 13 June 2005:

“From 1691, Mongolia was part of the [Chinese] Manchu Empire. After the fall of the Manchus in 1911, ‘Outer Mongolia’ declared independence. With Soviet help, a revolutionary government seized power in 1921 and, in 1924, the Mongolian People’s Republic was established. Stalinist one-party rule by the Mongolian People’s Revolutionary Party (MPRP) lasted until 1990 when, following a popular campaign of mass demonstrations calling for political and economic reform, the first multi-party elections took place.” [7a] (p2)

### 1990 TO PRESENT: ADVENT OF DEMOCRACY

- 4.02 As noted by the same source:

“The MPRP dominated the elections in 1992, representing the majority in the newly created Ikh Hural [Parliament]. However, in the elections of June 1996, the MPRP was displaced by the Democratic Alliance (DA), a coalition made up of the Mongolian Social Democratic Party (MSDP) and the Mongolian National Democratic Party (MNDP)... On 2 July 2000, when 81% of Mongolians went to the polls in the country’s fourth democratic election, the MPRP secured an unexpected landslide victory – winning a staggering 72 of the 76 Ikh Hural seats.

The fourth parliamentary elections since the introduction of multi-party democracy were held on 27th June 2004... Following the polling, however, the projected unofficial results showed that both the MPRP and the MDC [Motherland Democracy Coalition] had won 36 seats each. The Republican Party won a single seat and three independents with close ties to the Coalition won the remaining three seats. A number of complaints about electoral irregularities were made and these protests are still under examination by the Supreme Court. The first official and undisputed session of parliament on 26 July took place with 74 members instead of 76. However after a ruling by the Supreme Court only 1 seat now remains vacant.

Talks between the MPRP and the MDC have led to an agreement to form a government of national unity. Tsakhiagiin Elbegdorj was appointed Prime Minister. The new Government was approved by Parliament and sworn in on 28 September. There are 18 Ministers, nine on each side. The Prime Minister agreed to MPRP proposals to change the PM and Speaker mid term, with certain conditions.” [7a] (p2)

**(See also Section 5: [Political system](#) and Annex A: [Chronology of events](#))**

For further information on history, refer to Europa Regional Surveys: The Far East and Australasia (2005). [1]

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## 5. State structures

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### THE CONSTITUTION

5.01 As noted by Europa publications, Regional Studies: The Far East and Australasia (2005), "The Constitution was adopted on 13 January 1992 and came into force on 12 February that year. It proclaimed Mongolia (Mongol Uls), with its capital at Ulan Bator (Ulanbaatar), to be an independent sovereign republic which ensures for its people democracy, justice, freedom, equality and national unity." [1] (p688) [8] (the constitution)

### CITIZENSHIP AND NATIONALITY

5.02 Article 14 of the Mongolian constitution states,

"(1) All persons lawfully residing within Mongolia are equal before the law and the courts.

(2) No person may be discriminated on the basis of ethnic origin, language, race, age, sex, social origin or status, property, occupation or post, religion, opinion, or education. Everyone is a person before the law." [8] (p3)

5.03 Article 15 states:

"(1) The grounds and procedure for Mongolian nationality, acquisition, or loss of citizenship may be defined only by law.

(2) Deprivation of Mongolian citizenship, exile, or extradition of citizens of Mongolia are [sic] prohibited." [8] (p3)

### THE POLITICAL SYSTEM

5.04 As reported by Radio Australia in their country profile for Mongolia, accessed on 3 June 2005:

"Mongolia is a republic with a parliamentary government and a directly elected president... It adopted a new constitution in January 2002 that renounced socialism, changed the country's name to the State of Mongolia and made Mongolia a republic. The president is the head of state, and is elected for a four-year term. The government is headed by a prime minister, who is appointed by the parliament – the State Great Khural – for four years." [9] (p4)

5.05 The same source continued:

"Power is shared between the president, the parliament, the prime minister's ten-member cabinet and the supreme court. Only the parliament has legislative power. The president and parliamentary members are elected directly by the people at two different elections. The prime minister is nominated from the party with the largest number of seats in parliament." [9] (p4)

5.06 As reported by the United Nations Development Programme on 9 March 2005, "Mongolia has had a comparatively successful transition to parliamentary

democracy. Since the Mongolian People's Revolutionary Party (MPRP) yielded its monopoly on power at the beginning of the past decade, a successful political transition process has taken place." [6b]

(See also Annex B: [Political parties](#))

#### JUNE 2004: PARLIAMENTARY ELECTIONS

- 5.07 As reported by the FCO on their country profile for Mongolia, last reviewed on 13 June 2005:

"The fourth parliamentary elections since the introduction of multi-party democracy were held on 27th June 2004. The MPRP was widely expected to win, with the opposition MDC [Motherland Democracy Coalition] gaining an increased number of seats. Following the polling, however, the projected unofficial results showed that both the MPRP and the MDC had won 36 seats each. The Republican Party won a single seat and three independents with close ties to the Coalition won the remaining three seats. A number of complaints about electoral irregularities were made and these protests are still under examination by the Supreme Court. The first official and undisputed session of parliament on 26 July took place with 74 members instead of 76. However after a ruling by the Supreme Court only 1 seat now remains vacant.

Talks between the MPRP and the MDC have led to an agreement to form a government of national unity. Tsakhiagiin Elbegdorj was appointed Prime Minister. The new Government was approved by Parliament and sworn in on 28 September. There are 18 Ministers, nine on each side. The Prime Minister agreed to MPRP proposals to change the PM and Speaker mid term, with certain conditions." [7a] (p2)

- 5.08 As reported by the BBC on 28 June 2004, [then] Prime Minister Nambaryn Enkhbayar [of the MPRP] accused the opposition of cheating... He alleged that the opposition offered money and bottles of vodka to sway voters." [10c] [31] (election results)
- 5.09 As reported by the BBC on 29 March 2004, upwards of 5,000 activists gathered in liberty square, Ulan Bator, to protest against the results of the June elections on 29 March 2005. According to this report, "Protesters also accuse officials of embezzling 3.5bn tugrik (\$3m) during the elections." [10d]
- 5.10 As reported by the US State Department Report 2004 (USSD), published on 28 February 2005:

"The Constitution provides citizens with the right to change their government peacefully, and citizens exercised this right in practice through periodic, free, and fair elections held on the basis of universal suffrage; however, the campaign and balloting process in the June national election were widely considered marred by violations and irregularities... On June 27 [2004], in a national election widely regarded as flawed, 76 percent of the eligible voters cast votes for the 76-seat national Parliament... The campaign and balloting processes were marred by violations and inconsistencies. President Bagabandi, the major political forces, and domestic as well as foreign observers complained of numerous irregularities and violations committed by political parties, individual candidates, and members of the appointed district election

committees. Domestic NGOs and observers documented widespread illegal use of state property and civil service workers, primarily by the MPRP, for campaign activities." [2b] (Section 3)

## MAY 2005: PRESIDENTIAL ELECTIONS

5.11 As reported by the BBC on 3 May 2005:

"The candidate of Mongolia's former Communist party has won Sunday's presidential election, according to official results. Nambaryn Enkhbayar polled 53.4% of the more than 900,000 votes cast, thus avoiding the need for a second round of voting. His main rival, Mendsaikhan Enkhsaikhan of the Democratic Party, polled 20%. A spokesman for Mr Enkhbayar's Mongolian People's Revolutionary Party (MPRP) called the result 'convincing'. Under Mongolia's system of government, the prime minister and parliament hold most real power, while the president's role was designed to be largely ceremonial. But following disputed parliamentary elections last year, the MPRP and Democratic Party have been forced into a coalition government, which, analysts say, increases the president's influence." [10e] [31a] (list of main candidates and election results)

## JUDICIARY

5.12 As reported by Europa Regional Surveys of the World: The Far East and Australasia (2005):

"Under the fourth Constitution, judicial independence is protected by the General Council of Courts, consisting of the Chief Justice (Chairman of the Supreme Court), the Chairman of the Constitutional Court, Procurator General, Minister of Law and the others. The council dominates [sic, nominates] the members of the Supreme Court for approval by the Great Khural (parliament). The Chief Justice is chosen from amongst the members of the Supreme Court and approved by the President for a six-year term. Civil, criminal and administrative cases are handled by Ulan Bator City court, the 21 aimag (provincial courts, sum (rural districts) and urban district courts, while a system of special courts (military, railway etc.) is still in place. The Procurator General and his deputies, who play an investigatory role, are nominated for six-year terms." [1] (p690-691)

5.13 According to the USSD Report 2004:

"The Constitution provides for an independent judiciary, and the Government generally respected this provision in practice; however, corruption and outside influence were problems. The judiciary consists of local courts, provincial courts, and the Supreme Court... According to law, all accused persons have the right to due process, legal defense, and a public trial. Closed proceedings are permitted in cases involving state secrets, rape cases involving minors, and other cases as provided by law. The Constitution provides that defendants are innocent until proven guilty; however, in practice, this provision was rarely observed in the courts. Defendants may question witnesses and appeal decisions." [4b] (Section 1e) [11] (Criminal Code of Mongolia) [36] (Mongolian Civil Proceedings Law – Civil Code)

5.14 As reported by the NGO Freedom House in their report Freedom in the World, Mongolia 2004, "In a holdover from the country's Communist past, defendants are not presumed innocent." [32] (p3)

5.15 As reported by the National Human Rights Commission of Mongolia in their report entitled, "Human Rights and Freedoms in Mongolia – Status Report 2003" (NHRCM Status Report 2003):

"With respect to judicial corruption, the NHRCM reported the results of a survey of 475 law professionals and 417 lay people on the subject of the activities of law enforcement agencies and their alleged corruption. 33.8% of the law professionals and 48.1% of the public surveyed agreed that court staff, prosecutor's office and police were biased towards their relatives and friends, and that bribing was 'practically inseparable from their work'. The same source stated that 55.3% of lawyers and 73.8% of citizens agreed that officials received bribes. Reporting on a second study, the same source said that 48% of legal professionals and 72% of the public did not trust legal institutions like the courts, prosecutor's office and police." [35a] (p27)

5.16 As reported the US Embassy in Mongolia in their USAID in Mongolia Annual Report 2004:

"The continued close relationship between USAID and the German aid agency (GTZ) on judicial reform provides an especially outstanding example of effective donor coordination. USAID and GTZ together are the two largest providers of legal assistance in Mongolia. Contractors supported by both donor agencies not only share adjoining offices at the Ministry of Justice; they also work together to deliver training and other resources." [30] (p5)

5.17 The same source also noted:

"Judicial reform is one of the most challenging yet essential elements of any good governance initiative. Court automation – accompanied by the installation of public access computer terminals in the lobby of every automated courthouse – registered significant progress during 2003. Forty courts were involved. At this point, approximately 80 percent of Mongolia's caseload is automated. Elsewhere, USAID provided training to virtually every judge in the country as well as 600 other legal professionals; introduced new approaches to continuing legal education; helped develop a new ethics code; supported a new special prosecutor's office designed to deal with crime in the justice sector; and launched a popular new television program designed to present aspects of Mongolia's new criminal procedure code to a larger audience." [30] (p5)

## LEGAL RIGHTS/DETENTION

5.18 According to the USSD Report 2004:

"The Constitution provides that no person shall be searched, arrested, detained, or deprived of liberty except by law, and these protections have been incorporated into the Criminal Code; however, arbitrary arrest and detention remained problems. General public awareness of basic rights and judicial procedures, including rights with regard to arrest and detention procedures, was limited. Police may arrest persons suspected of a crime and hold them for up to

72 hours before a decision is made to prosecute or release them. Under the Criminal Code, a court order must be requested to continue holding a suspect after 24 hours have elapsed. If the requested order is not granted within 72 hours, the suspect must be released.” [4b] (Section 1d)

5.19 The same source continued:

“Prosecutors do not have authority to issue warrants. A detainee has the right to a defense attorney during this period and during all subsequent stages of the legal process. If a defendant cannot afford a private attorney, the Government must appoint an attorney. However, in practice, many detainees were not made aware of this right and did not assert it. There was a shortage of state attorneys, and the low quality of attorney training and the bureaucratic obstacles faced by attorneys and defendants were chronic problems. Detainees may be released on bail with the agreement of the prosecutor. The maximum pretrial detention (with a court order) is 24 months; an additional 6 months are allowed for particularly serious crimes such as murder. According to administrative regulation, if a person is wrongly charged with a crime, the Government must restore the person’s rights and reputation and compensate him, but this regulation very rarely was followed in practice.” [4b] (Section 1d)

5.20 As reported by Amnesty International (AI) in their 2005 Report on Mongolia, published May 2005:

“The state failed to provide reparations to individuals wrongly imprisoned. A district court awarded compensation to a herdsman, Erdene-Ochir, after seven years’ wrongful imprisonment, but did not compensate him for the damage to his health. Due to poor prison conditions, most of his teeth were broken and he had arthritis and kidney disease.” [12] (p1)

5.21 As reported by the NHRCM Status Report 2003, “According to the results of the survey carried out by the NHRCM in 2002, in 42.4% of criminal cases involving a total number of 783 individuals the pretrial investigation proceedings, including collection of the body of evidence, was carried out without providing any legal aid to the suspects or defendants. Interestingly, in most of these cases attorney services were made available during the trial, or even worse after the court ruling was issued, mainly when the convict asked for an appeal.” [35a] (p36)

**(See also Section 6.A: [Torture](#))**

## DEATH PENALTY

5.22 Article 53 of the Mongolian Criminal Codes states:

“53.1. Persons who committed grave crimes may imposed death penalty in the instances specified in the Special part of this Code.

53.2. The death penalty shall be executed by shooting.

53.3. Persons who have been sentenced to death shall be entitled to the pardon request to the President of Mongolia. In case of pardon the death penalty shall be substituted by the imprisonment for a term of 30 years.

- 53.4. The death penalty may not be imposed to the persons under 16 years of age at the time of committing crime, men over 60 years of age and women.” [11] (p15)
- 5.23 As reported by Amnesty International (AI) in their 2005 Report on Mongolia, “According to a National Human Rights Action Plan adopted in December 2003, the practice of delaying executions for three years was to be reviewed at an unspecified date. There were no published statistics about the death penalty, but according to media reports the number of people on death row was increasing.” [12] (p1)
- 5.24 As reported by AI (Regional Asia Pacific Offices) in an undated report:
- “Under Mongolian law, an execution is a secretive affair: the state does not make public when or where it will take place; the press does not report that the execution has occurred; the family of the executed prisoner does not even receive the body for burial. As a consequence, the application of the death penalty in Mongolia exists under a shroud of state-imposed silence. Against this tradition of silence, AI Mongolia is working to create a debate. Already, it has trained journalists on death penalty issues, and it is organizing a press conference to further raise awareness. With this initial screening of Dead Man Walking, it challenged the public to begin to talk about whether executions should be happening in Mongolia.” [12b]

## INTERNAL SECURITY

- 5.25 As reported by the USSD Report 2004:
- “Security forces are under the jurisdiction of the Ministry of Defense (MOD), the Ministry of Justice and Home Affairs (MOJHA), and the General Intelligence Agency (GIA). Military forces under the MOD are responsible for external security, but civil defense is subordinate to the MOD, giving the MOD a role in internal security. During peacetime, border security forces are under MOJHA control. National police operate under the MOJHA. The GIA, formerly the State Security Agency, is responsible for internal security and foreign intelligence collection and operations; its civilian head has ministerial status and reports directly to the Prime Minister. Downsizing of the military forces continued. The civilian authorities maintained effective control of the security forces. In September, the first noncareer-military Minister of Defense was named, replacing a predecessor who had retired from the military to accept the position. Some members of the security forces committed human rights abuses, including the abduction of a citizen in France.” [4b] (p 1)
- 5.26 The same source also reported, “[The] police (especially in rural areas) occasionally beat prisoners and detainees, and the use of unnecessary force in the arrest process was common.” [4b] (Section 1c)
- 5.27 As reported by the NGO Freedom House in their report Freedom in the World, Mongolia 2004, “Post-Communist reforms have created a more disciplined police force, though anecdotal evidence suggests that officers in rural Mongolia occasionally beat suspects and prisoners.” [32] (p3)

## PRISON AND PRISON CONDITIONS

5.28 As reported by the USSD Report 2004, "During the year, the Prison Administration completed installation of television monitoring systems in all 22 central prisons, which contributed to a significant decline in the number of prisoners and detainees beaten by guards." [4b] (Section 1c)

5.29 The source continued:

"In general, pretrial detention and prison facilities were poor, providing insufficient food, heat, and medical care, thereby threatening the health and life of inmates. Overcrowding declined in prisons and detention centers. For example, the number of prisoners in the central detention facility in Ulaanbaatar, which in the past housed 800 to 1,000 inmates, was reduced to 461. During the year, 325 prison staff members, including 159 guards, 46 social workers, and 80 medical staff, received human rights training. The MOJHA's Department for the Enforcement of Court Decisions monitored conditions in prisons and detention facilities, but new laws and procedures were not publicized widely, especially in the countryside, and citizens were not always aware of their rights with respect to detention and arrest." [4b] (Section 1c)

5.30 The same source also noted:

"All female prisoners were held separately in one central prison in Ulaanbaatar. In detention centers throughout the country, women also were held separately from men. Convicted juveniles were housed separately from adults. At year's end, there were 105 children in a separate facility for juvenile prisoners in Ulaanbaatar; the facility was designated as a training center. Outside of Ulaanbaatar, juveniles between the ages of 14 and 18 who were charged with crimes were kept in the same detention centers as adults, unsegregated from the adult population. [4b] (Section 1c)

5.31 As reported by AI in their 2005 Report on Mongolia:

"Conditions in the holding cell in the City Police Department were cruel and inhuman. Throughout 2004, around 300 people were held together in the cell, which has a normal capacity of 120. Access to medical treatment and sanitary facilities were inadequate. Tuberculosis was reportedly on the increase among prisoners, although this was contradicted by an official statement in March." [12] (p1)

5.32 As reported by the NGO Freedom House in their report Freedom in the World, Mongolia 2004:

"Despite recent reforms, conditions in jails and pretrial detention centers continue to be life threatening because of insufficient food, heat, and health care. Tuberculosis has killed dozens of inmates in recent years, though the percentage of prisoners who die each year from tuberculosis continues to drop. Inmates often come to prison already suffering from illnesses because of the long periods that many spend in pre-trial police detention, where conditions are even worse." [32] (p3-4)

5.33 In comments submitted to the Advisory Panel on Country Information on 8 September 2005, UNHRC stated, "Deplorable conditions on death row

amounted to cruel treatment and the treatment of prisoners serving 30 year terms in isolation is inhuman. The 'ordinary' prison regime, however, was found generally to be in line with international standards. Another source said prison conditions, especially in rural areas, were bad but improving." [6e] The UN Special Rapporteur on Torture, Manfred Nowak (reporting on his fact missing to Mongolia undertaken on 6 to 9 June 2005) reported similar concerns on 13 June 2005. [6f]

- 5.34 As reported by the World Institute of Prisons in their Prison Brief for Mongolia accessed on 27 May 2005, the total prison population in mid-2004 was 6,400 (equivalent to 246 out of every 100,000 people). [13]

## MILITARY SERVICE

- 5.35 As noted by the CIA World Fact Book on Mongolia last updated on 17 May 2005, the age for compulsory military service is 18 to 25 (for males) and the length of service is 12 months. [2] (p 9)

## CONSCIENTIOUS OBJECTORS AND DESERTERS

- 5.36 Under the Criminal Code the act of desertion is punishable by up to 2 years imprisonment, rising to 3 years for an officer or sergeant (Articles 279.1 and 279.2). During wartime the punishment is 5-7 years imprisonment. [11] (p71-72) As reported by Europa, a system of alternative service is being introduced while a limited number of conscripts may buy themselves out of service all together. [1] (p698)
- 5.37 As reported by the NGO Forum 18 in their Religious Freedom survey, December 2003, "There appears to be no provision for organised worship within the armed forces or exemption from military service for clergy, but one military colonel pointed out that this is only for one year and easy to evade." [25]

## MEDICAL SERVICES

- 5.38 According to the World Health Organization (Regional Office for the Western Pacific, Manila, Philippines) in their Country Profile for Mongolia – available via their website – health expenditure as a percentage of GDP was 6.3% in 2002. The same source also noted that life expectancy was 69 for women and 62 for men in 2002. [14]
- 5.39 As reported the US Embassy in Mongolia in their USAID in Mongolia Annual Report 2004:

"For the most part, Mongolia's health and educations [sic] indicators remain impressive. This is partly a legacy of investments made during the Soviet era. It also reflects the relatively large share of budgetary resources devoted to these two sectors... More than 95% of all Mongolian children are vaccinated. Life expectancy is estimated at around 64 years. Infant mortality rates are estimated at around 30 per 1,000. In these and other areas, Mongolia out-performs most other countries at a comparable stage of development. However, the maternal mortality rate is one of the highest in the region, partly on account of iron deficiencies and the distance to medical facilities. Also, some reports suggest that iodine deficiency results in lower IQs among children." [30] (p1)

5.40 As reported by Europa, there are 2.7 physicians per 1000 people (figures for 2003). [1] (p685)

**HIV/AIDS**

5.41 As noted by the same source, less than 0.10% of people aged 15-49 are infected with HIV/AIDS. [1] (p685)

5.42 As reported by BBC Monitoring on 7 December 2004, “There have been estimates that there are as many as 300-400 cases of HIV in Mongolia that have not yet been diagnosed.” [17]

(See also Section 6.B: [Homosexuals](#))

**PSYCHIATRIC TREATMENT**

5.43 As noted by Mongolian Ministry of Health (Health Situation Reports – Country Profile on Mental Health in Mongolia 2004):

“There are budget allocations for mental health. The country spends 5 % of the total health budget on mental health. 90% of total budget allocated from the State for the treatment, rehabilitation, and social care of people with mental disorders is spent to cover hospital expenditures and for providing in patient and outpatient mental health care. The primary sources of mental health financing are government budget and social insurance. The National Mental Health Programme is financing by the State and local government budget. 77.6% of the population is covered by health insurance.” [20] (p3)

5.44 As reported by the same source the following therapeutic drugs are generally available at the primary health care level in Mongolia:

Carbamazepine	Haloperidol
Phenobarbital	Lithium
Amitriptyline	Carbidopa
Chlorpromazine	Levodopa
Diazepam	

[20] (p5)

5.45 Furthermore this same source also noted, “There are 21 general hospital psychiatric units with 5 to 15 beds, each.” [20] (p4) As reported by the WHO Project Atlas (a project of the Department of Mental Health and Substance Dependence, WHO, Geneva) there are 2.4 psychiatric beds per 10,000 people. [28] (p4)

**PEOPLE WITH DISABILITIES**

5.46 As reported by the USSD Report 2004:

“The labor law prohibits discrimination in employment and education against persons with disabilities, and it requires the Government to provide benefits according to the nature and severity of the disability, which the Government did... However, NGOs claimed that the Government did little to implement such measures, and in practice, most persons with disabilities could not find jobs... Persons with disabilities have demonstrated for higher government subsidies.

Government pensions for persons with disabilities were approximately \$40 (40,000 tugrik) per month. Approximately 30 NGOs participated in activities assisting the approximately 40,000 persons with disabilities in the country.” [4b] (Section 5)

- 5.47 As reported by the NHRCM Status Report 2003, “Basic needs of the disabled are not met due to low amounts of pensions and benefits, and inaccessibility of welfare services. Inadequate procedures for delivering and lack of monitoring capacities for welfare services leads to the situation where persons most desperate for these services are left behind, and violations of their rights is becoming typical practice.” [35a] (p60)

## EDUCATION SYSTEM

- 5.48 As documented by Europa, “General education is entirely state-administered. Ten-year education is compulsory, and 11-years education is being introduced... The State budget allocated to the Ministry of Education, Culture and Science for 2004 was 138,282m. togrog (21.6% of planned budgetary expenditure).” [1] (p699)

- 5.49 As noted by the USSD Report 2004:

“The Government provided children with free and, by law, compulsory public education through the age of 16; however, family economic needs and state budgetary difficulties made it difficult for some children to attend school. In practice, female children over the age of 15 had better opportunities to complete their education than male children, because teenage males often were required to work at home, and schools generally were located far from homes. In addition, there continued to be a severe shortage of teachers and teaching materials at all educational levels.” [4b] (Section 5)

- 5.50 As reported the US Embassy in Mongolia in their USAID in Mongolia Annual Report 2004, “The drop in school enrollment noted in the mid 1990s appears to have been temporary and overall literacy rates remains [sic] well above 90%. In contrast to most developing countries, Mongolian women are more likely than their male counterparts to graduate from high school.” [30] (p1)

- 5.51 As reported by the NHRCM Status Report 2003:

“Survey results reiterate the fact that either children from poor families or abandoned children would usually tend to drop out from school. ‘Tapping money’ from pupils for any event or campaign of the school or even imposing bureaucratic requirement to shape up their clothing in order to promote the image of the school make the children of vulnerable background feel offended and indirectly contributes to non-attendance.

According to a questionnaire conducted among 290 pupils in Ulaanbaatar city 23% of respondents had confirmed that the school administration and teachers systematically ‘tap money’ and 58.4% answered ‘from time to time’. In general parents never cease to complain that schools force to purchase numerous handbooks not obligatory within the normal curriculum, or insist to buy various show tickets, and charge ‘fines’ for missing the class or being late.” [35a] [p7]

## HIGHER EDUCATION

- 5.52 As reported by Europa, “In 2003/2004 131,700 students were enrolled at state and private institutes of higher education, including those studying in Russia, Germany, Turkey, the USA and elsewhere.” [1] (p699) As reported the US Embassy in Mongolia in their USAID in Mongolia Annual Report 2004, “At a university level, more than two-thirds of all students are women.” [30] (p1)

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## 6. Human rights

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### 6.A HUMAN RIGHTS ISSUES

#### GENERAL

- 6.01 According to the US State Department Report 2004 (USSD), published on 28 February 2005,

“The Government generally respected the human rights of its citizens; however, there were problems in some areas. Members of the police at times beat prisoners and detainees. Pretrial detention conditions continued to be poor, although there were some marginal improvements during the year. There were no deaths reported in detention centers, but a number of prisoners died of disease in prison. Arbitrary arrest and lengthy detention were problems, as was corruption. Government enforcement of compliance with moral strictures and tax laws may have intimidated the media and resulted in self censorship by the press. The Minister of Justice and other officials used criminal libel suits to harass journalists and politicians who published views critical of the Government. Harassment by some officials of religious groups seeking registration persisted. Domestic violence against women was a serious problem; however, efforts to assist victims continued to increase during the year. Child abuse and child labor also were problems.” [4b] (p1)

- 6.02 As reported by Amnesty International (AI) in their 2005 Report on Mongolia, published May 2005, “Journalists exposing corruption and abuse of power and lawyers defending victims of torture were at risk of intimidation and criminal charges because of their work. Detention conditions remained harsh. Violence against women was widespread.” [12] (p1)

**(See also Section 6.B: [Political activists](#))**

- 6.03 As reported by the same source, “Conditions in the holding cell in the City Police Department were cruel and inhuman. [12] (p1)

**(See also Section 5: [Prisons and prison conditions](#))**

- 6.04 In comments submitted to the Advisory Panel on Country Information on 8 September 2005, UNHCR stated:

“Mongolia’s human rights record is generally satisfactory and continues to improve in an environment of increased transparency. Nonetheless, torture and cruel and inhuman treatment in detention facilities does occur with impunity and without the possibility of redress or remedy. This causes grave concern.

Based on the sources consulted, no particular groups at risk of persecution or serious human rights abuses could be conclusively identified. Nonetheless, it is worth noting that some individuals (being journalists, political opposition activists, or women) may experience difficulties in exercising their legitimate human rights or freedoms.” [6e]

#### TORTURE

- 6.05 As reported by the *UBPost* on 15 Jun 2005, “Manfred Nowak, the Special Rapporteur of the United Nations Commission on Human Rights, visited Mongolia from June 6 - 9 [2005] at the invitation of the government and issued a statement on June 13... Mr Nowak praised the 2005 public inquiry on torture being carried out by the National Human Rights Commission, and expressed strong support for its efforts aimed at eradicating torture. However he also noted some points for concern.” These were centred on the treatment of abuses of detainees in police stations and pre-trial detention facilities. He also noted that the treatment of prisoners serving 30 year prison terms in ‘isolation’ was ‘inhumane.’ [33b]
- 6.06 As reported by the *UBPost* on 29 June 2005:
- “The serious crime division of the State Investigation Department is investigating the apparent death after being in police custody of 36 year-old B.Monkhbayar, who died eight days after being held in Gants Khudag Detention Center in mid-May. He is alleged to have been held without proper procedure and to have been beaten and sedated. The man’s family have struggled against denials and conflicting information from the authorities but now say the investigation into Monkhubayar’s death is being handled better since the State Investigation Department took over the case. Monkhubayar was arrested in May, suspected of the murder of man in the 72nd area of Bayanzurkh District and he was detained for 72 hours. After his release from Gants Khudag, marks and bruising were visible on his body and he repeatedly vomited blood. He died in hospital eight days later.” [33c]
- 6.07 As reported by the National Human Rights Commission of Mongolia in their report entitled, *Human Rights and Freedoms in Mongolia - Status Report 2003* (NHRCM Status Report 2003), There are numerous complaints from individuals concerning facts of police brutal[ity] and violation of human rights. Police authority is extremely reluctant to effectively respond to such claims and to investigate and punish, if necessary, the abuser. This attitude is generally true both in the cities and in rural areas. [35a] (p30)
- 6.08 As reported by the United Nations Human Rights Website, Mongolia ratified the Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT), on 24 January 2001 (effective from 23 February 2002). [6c]
- 6.09 The NHRCM Status Report 2003 identified some apparent contradictions between Mongolian law and the country’s obligations under international treaties such as CAT. For example Article 4 of the CAT states that each state shall ensure that acts of torture are offences under its criminal law. However, the criminal code does not specifically mention “torture” by name. Meaning that somebody guilty of “torture” could be charge with a lesser crime and therefore receive a more lenient sentence as a result. [35a] (p41-43) [11] (Criminal Code of Mongolia)
- 6.10 In comments submitted to the Advisory Panel on Country Information on 8 September 2005, UNHCR stated, “Despite efforts to combat abuses by law enforcement agencies, such as legislative reform and the establishment of a specialized unit within the Prosecutor’s Office, torture continues to take place, particularly in police stations and pre-trial detention. The Mongolian authorities acknowledge that torture in detention was a problem.” [6e]

(See also Section 5: [Legal rights/detention](#))

## FREEDOM OF SPEECH AND THE MEDIA

- 6.11 As reported by the NGO Freedom House in their report Freedom in the World, Mongolia 2004:

“Mongolia’s press is largely free but faces some government pressure. Newspapers and magazines carry a wide range of party and independent views that often criticize the government. The government, however, has at times filed libel suits and launched tax audits against publications in the wake of critical articles. Libel charges are hard to defend against because Mongolian law places the burden on the defendant to prove the truth of the statement at issue.” [32] (p3)

- 6.12 As noted by the same source, “Mongolian professors and other teachers generally can write and lecture freely.” [32] (p3)
- 6.13 As reported by the NGO Reporters Without Border in its Worldwide Press Freedom index 2004, Mongolia was ranked 74 out of the 167 countries included in the index (one being the most free and 167 being the least free). [15b]

## JOURNALISTS

- 6.14 As reported by Reporters Without Borders in their annual report (2003), “Despite opposition claims, the government of President Natsagiyn Bagabandi, a former communist, has generally upheld democratic gains. However police investigations of journalists for alleged defamation have increased sharply.” [15]
- 6.15 As reported by AI in their 2005 Report, “Journalists exposing corruption and abuse of power and lawyers defending victims of torture were at risk of intimidation and criminal charges because of their work.” [12] (p1)
- 6.16 As reported by the USSD Report 2004

“In April, a journalist was ordered to be detained for 3 months in solitary confinement after being charged with libeling a Member of Parliament. A court ordered her release after 23 days in detention. Credible reports indicated that police briefly detained 30 journalists for questioning following a political commentator’s dissemination of a column critical of the Minister of Justice. While there was no direct government censorship, the press alleged indirect censorship in the form of government harassment such as frequent libel lawsuits and tax audits. The law places the burden of proof on the defendant in libel and slander cases. As a result, some media practiced self-censorship. Nonetheless, independent media outlets at times were strongly critical of the Government. The Minister of Justice and other officials used criminal libel suits to harass political opponents and journalists who expressed or published views critical of the Government.” [4b] [Section 2a]

## FREEDOM OF RELIGION

- 6.17 As reported by the US State Department's International Religious Freedom Report 2004 (USSD Religious Freedom Report 2004), published on 15 September 2004:

"The Constitution provides for freedom of religion, and the Government generally respects this right in practice; however, the law limits proselytizing, and some groups that seek to register face bureaucratic harassment. The Constitution explicitly recognizes the separation of church and state. A law regulating the relationship between church and state was passed in 1993 and amended in 1995.

Although there is no state religion, traditionalists believe that Buddhism is the 'natural religion' of the country. The Government has contributed to the restoration of several Buddhist sites that are important religious, historical, and cultural centers. The Government otherwise does not subsidize the Buddhist religion." [4a] (Section 2)

- 6.18 As reported by the NGO Forum 18 in their December 2003 report entitled Mongolia: Religious Freedom survey:

"Most unusually among states which were in the Soviet political orbit, Mongolia is pursuing religious freedom principles... Particularly unusual in the former socialist bloc – and possibly key to the country's relatively high degree of religious freedom – Mongolia has only one paid official dealing solely with religious issues, rather than an extensive official bureaucracy, such as the Soviet-era Council for Religious Affairs." [25]

## REGISTRATION

- 6.19 As noted by the USSD Religious Freedom Report 2004:

"Under the law, the Government may supervise and limit the number of places of worship and clergy for organized religions; however, there were no reports of this during the period covered by this report. The registration process is decentralized with several layers of bureaucracy, in which officials sometimes demand payments in exchange for authorization. Registration in the capital may not be sufficient if a group intends to work in the countryside where local registration also is necessary." [4a] (Section 2)

- 6.20 The same source also noted, "There are 279 registered places of worship in the country, including 172 Buddhist, 95 Christian, 5 Baha'i, 4 Muslim, and other organizations." [4a] (Section 2)

- 6.21 As reported by the UN Special Rapporteur on freedom of religion or belief in a report dated 15 March 2005:

"On the 16 March 2004, the Special Rapporteur sent a communication to the Government of Mongolia in relation to information according to which churches seeking registration in Mongolia may have been denied registration on non-legal grounds, or were demanded bribes from local officials... State registration appears to have been a particular concern for indigenous Mongolian churches." [16] (p44)

- 6.22 As reported by the NGO Forum 18 in their Religious Freedom survey, December 2003:

“Mongolia’s 1993 law on religion is largely benign and straightforward. Its clearly restrictive provisions – state control on the absolute number of Buddhist monasteries and monks, a ban on the organised introduction of foreign religions from outside Mongolia and state preference for Buddhism – are reportedly not enforced, and registration is not compulsory for religious organisations.” [25]

- 6.23 The same source continued:

“This is not to say that significant violations of religious freedom never occur in Mongolia, however. Protestant representatives told Forum 18 of several recent incidents in which unregistered churches were threatened or fined – apparently because they did not have registration – as well as a widespread tendency by state authorities to demand random ‘fines’ or ‘donations’ from churches. No regions appear to be particularly better or worse in this regard, however, since much depends upon the attitude of individual council members, who are not legally obliged to be neutral in religious matters, unlike state officials.” [25]

## RELIGIOUS GROUPS

### BUDDHISTS

- 6.24 As reported by the USSD Religious Freedom Report 2004:

“Buddhism and the country’s traditions are tied closely, and it appears likely that almost all ethnic Mongolians (93 percent of the population) practice some form of Buddhism. Lamaist Buddhism of the Tibetan variety is the traditional and dominant religion... The Buddhist community is not homogeneous, and there are several competing schools, including a small group that believes that the sutras (books containing religious teachings) should be in the Mongolian language and that all members of the religious clergy should be citizens.” [4a] (Section 2)

- 6.25 As reported by the NGO Forum 18 in their Religious Freedom survey, December 2003:

“The majority Buddhist community reports no restrictions on its activity other than the ability to invite from India a Tibetan refugee whom both they and the present Dalai Lama acknowledge as the reincarnation of Mongolia’s pre-revolutionary Buddhist king... Despite disapproval from the Chinese political authorities, however, the Buddhists have received formal visits by the Dalai Lama himself as recently as November 2002, whereas Russia has repeatedly denied the Tibetan spiritual leader even a transit visa in the past few years.” [25]

### MUSLIMS

- 6.26 As reported by the same source around 4% of the population are Muslim. They are mostly concentrated in the west of the country and mostly are members of the Kazakh ethnic group. [4a] (Section 2)

**(See also Section 6.B: [Ethnic groups](#))**

- 6.27 As reported by the NGO Forum 18 in their Religious Freedom survey, December 2003, “Forum 18 was unable to locate a representative for Mongolia’s 90,000-strong Kazakh Muslim community, who live in the area surrounding the far western city of Ulgiy (?lgiy) [sic]. An academic source, however, mentioned that they have managed to build over ten mosques there since 1990.” [25]

### CHRISTIANS

- 6.28 As reported by the USSD Religious Freedom Report 2004:

“There is a small number of Christians in the country, including Roman Catholics, Russian Orthodox, and members of some Protestant denominations. There are no nationwide statistics on the number of Christians in the country. The number of citizens who practice Christianity in the capital, Ulaanbaatar, is approximately 24,000, or 0.3 percent of the registered population of the city.” [4a] (Section 2)

- 6.29 As reported by the BBC on 31 July 2003, Evangelical Christianity is growing in popularity, especially amongst the young. [10b]
- 6.30 As reported by the NGO Forum 18 in their Religious Freedom survey, December 2003:

“Although Christianity takes the same place in Mongolian society as unfamiliar new religious movements do elsewhere in the former Eastern bloc, Forum 18 has found that, for the most part, Christians are able to worship and witness there conspicuously without impediment... Evidence of this is the estimated 120 registered and unregistered Protestant churches in the capital city of Ulaanbaatar (population approximately 800,000), most of which were founded by western and South Korean missionaries over the past 13 years.” [25]

### PROTESTANTS

- 6.31 As reported by the same source:

“Protestant representatives report few obstructions to their social ministry in state institutions such as prisons, childrens’ homes or hospitals once local officials are familiar with their work. While Christian literature in Mongolian – commonly printed in Japan – might sometimes be detained by customs officers for a time (as was a consignment of 10,000 Bibles in 1997), it has never been confiscated. There appears to be no provision for organised worship within the armed forces or exemption from military service for clergy, but one military colonel pointed out that this is only for one year and easy to evade.” [25]

(See also Section 5: [Military service](#))

### CATHOLICS

- 6.32 The same source also noted, “The Catholic Church Mission in Mongolia – analogous official titles for which would be unthinkable in both Russia and China – is able to maintain a significant presence, especially considering the country’s relatively small population (2,680,000).” The same source also noted that the late Pope John Paul II held an open invitation to visit Mongolia. [25]

- 6.33 As reported by Worldwide Religious News (WWRN) on 18 August 2003, “[Pope] John Paul II has named Father Wenceslaw Padilla, of the Congregation of the Immaculate Heart of Mary, as the first bishop of Mongolia.” [26]

### SHAMANISM

- 6.34 As noted by the Mongolian Embassy in India on their website accessed on 7 June 2005:

“Mongolian Shamanism derives from worshipping nature. The Mongolians considered the earth ‘Mother Earth’ and the sky ‘the Father’. The shaman acts as intermediary between the man and the spirits. Shamanism determined the behavior [sic] of nomads towards nature. Nowadays, shamanism is still practiced especially in the northern region (Lake Huvsgul).

This respect for nature is still alive in the ritual of the ‘ovoo’. Before going up a mountain, Mongolian people throw a handful of stones to a cairn-like pile (called ‘ovoo’) and walk three times around this pile of stones. To honor the spirits Bottles of vodka and pieces of blue silk are also added to the stones. Ovoos are abundant in the countryside on mountains [sic] peaks or passes.” [23b] (p5)

- 6.35 An academic source contacted by Forum 18 during the compilation of their Religious Freedom survey (December 2003) maintained that only about 20 of Mongolia’s many shaman are genuine and that no restrictions are placed on their mainly rural activities. [25]

### FREEDOM OF ASSOCIATION AND ASSEMBLY

- 6.36 As reported by the USSD Report 2004, “The Constitution provides for freedom of assembly and association, and the Government generally respected these rights in practice.” [4b] Section 2b)

### EMPLOYMENT RIGHTS

- 6.37 As reported by the same source, “The Constitution entitles all workers to form or join unions and professional organizations of their choosing, and the Government respected this right in practice” [4b] (Sections 6a) Also noted here, “Persons employed in essential services, which the Government defines as occupations critical for national defense and safety, including police, utility, and transportation workers, do not have the right to strike.” [4b] (Sections 6b)

(See also Section 5: [Economy](#))

### PEOPLE TRAFFICKING

- 6.38 As reported by the US State Department Trafficking in Persons Report 2005 (USSD Trafficking Report 2005), published on 3 June 2005:

“Mongolia is a source and transit country for women and men trafficked for the purposes of sexual exploitation and forced labor; it also faces a problem of children trafficked internally for the purpose of commercial sexual exploitation. In 2004, the government documented over 200 Mongolian children exploited as

prostitutes... While the government engages NGOs and regional and international organizations on anti-trafficking measures, it lacks the resources to combat trafficking effectively on its own.” [4c] (Mongolia)

6.39 The same source also noted:

“Mongolia’s criminal code and criminal procedure code contain provisions against trafficking in women and children and prostitution, with penalties of ten to 15 years’ imprisonment for trafficking and a maximum of five years’ imprisonment for prostitution... During the last year, the government began developing a national action plan to combat trafficking and the commercial sexual exploitation of children.” [4c] (Mongolia)

6.40 As reported by NHRCM Status Report 2003, “The number of reports on alleged mass trafficking of women and girls to China is increasing. It is believed that the main route of trafficking is to cities of Erlian, Khokhe Khot and Beijing, and that a number of both Mongolian and Chinese networks operate on both sides of the border.” [35a] (p52)

## FREEDOM OF MOVEMENT

6.41 As reported by the USSD Report 2004:

“The Constitution provides for these rights, and the Government generally respected them in practice. However, due to continued harsh winter weather and drought conditions, an increased number of persons sought shelter in the capital, and the authorities continued to use bureaucratic obstacles, such as increasing fees for residency applications, to prevent new arrivals from qualifying for residency and social benefits in the capital.” [4b] (Section 2d)

6.42 As reported by UN in Mongolia in a report dated 2 July 2004:

“According to the 2000 population and housing census, one third of the total population of Ulaanbaatar are migrants. Once registered, they were entitled to access social services, schooling, and medical services and to vote. These rights had been effectively denied to them by residence permit (registration) fees of \$25 per head charged by the City authorities... In just two of the city’s ger (Mongolian tent) districts, the NHRCM found 18,665 unregistered residents. Of these 52% were of working age but only 56% of them actually had jobs. Their unregistered status meant that their children could not attend local schools and their families had no entitlement to medical assistance or other social services. They could not even vote. The NHRCM found this a serious breach of human rights. Imposing registration fees on migrants who were unable to pay them amounted to a breach of their constitutional right to freedom of movement.” [6d]

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## 6.B HUMAN RIGHTS – SPECIFIC GROUPS

### ETHNIC GROUPS

- 6.43 As noted by the US State Department in their background notes for Mongolia, last updated in August 2004, 85% of the population are Mongol (mostly Khalkha), 7% are Turkic (mostly Kazakh), 4.6% are Tungusic and 3.4% are from other groups, including Chinese and Russian. [4] (p1)
- 6.44 According to the CIA World Fact Book on Mongolia last updated on 17 May 2005, 94.9% of the population are Mongol (mostly Khalkha), 5% Turkic (mostly Kazakh) and 0.1% other (including Chinese and Russian). [2] (p3)

### MONGOLS

- 6.45 As noted by the US State Department in their background notes for Mongolia, last updated in August 2004:
- “Ethnic Mongols account for about 85% of the population and consist of Khalkha and other groups, all distinguished primarily by dialects of the Mongol language... The Khalkha make up 90% of the ethnic Mongol population. The remaining 10% include Durbet Mongols and others in the north and Dariganga Mongols in the east... About 4 million Mongols live outside Mongolia; about 3.4 million live in China, mainly in the Inner Mongolia Autonomous Region, and some 500,000 live in Russia, primarily in Buryatia and Kalmykia.” [4]
- 6.46 As noted by Europa, “Today only a tiny minority of ethnic Mongolians live in Mongolia, the sole independent Mongol state.” There are 5.8 million ethnic Mongolians in China (PRC) where they have their own autonomous region, Nei Mongol (Inner Mongolia). There are also ethnic Mongolians in the Chinese provinces of Heilongjiang, Jilin, Liaoning and Gansu and the autonomous regions of Ningxia and Xinjiang. [1] (p670)

### KAZAKHS

- 6.47 As reported by the US State Department’s International Religious Freedom Report 2004 (USSD Religious Freedom Report 2004), published on 15 September 2004:
- “Kazakhs, most of whom are Muslim, are the largest of the ethnic minorities, constituting approximately 4 percent of the population nationwide and 85 percent of the population of the western province, Bayan-Olgii. The Kazakhs’ status as the majority ethnic group in Bayan-Olgii was established in the former Socialist period and continues in much the same circumstances. Kazakhs operate Islamic schools for their children. They sometimes receive financial assistance from religious organizations in Kazakhstan and Turkey.” [4a] (Section 2)
- 6.48 The USSD Report 2004 noted, “There were three members of the ethnic Kazakh minority group serving in Parliament.” [4b] (Section 3)

### WOMEN

- 6.49 As reported by the USSD Report 2004, “Domestic violence against women was a serious problem. Rape and domestic abuse are illegal, and offenders can be prosecuted after formal charges have been filed. There is no law specifically prohibiting spousal rape. Rape, including spousal rape, also was a problem. During the year, the number of reported cases increased nearly 5 percent.” [4b] (Section 5)
- 6.50 The same source also noted, “There were 5 female members in the 76-member Parliament, including a vice speaker. There was one female minister and one female vice-minister. Women and women’s organizations were vocal in local and national politics and actively sought greater female representation in government policymaking.” [4b] (Section 3)
- 6.51 As reported the US Embassy in Mongolia in their USAID in Mongolia Annual Report 2004, “In contrast to most developing countries, Mongolian women are more likely than their male counterparts to graduate from high school. At a university level, more than two-thirds of all students are women.” [30] (p1)
- 6.52 As reported by the NGO Freedom House in their report Freedom in the World, Mongolia 2004:
- “Women make up the majority of university graduates, doctors, and lawyers and have helped set up and manage many of Mongolia’s new trading and manufacturing firms. They also are at the forefront of Mongolian civil society, running several influential nongovernmental groups that educate voters, lobby government officials, and promote women’s rights and child welfare. Women, however, hold relatively few senior judicial and governmental posts. Anecdotal evidence suggests that many Mongolian women continue to be victimized by domestic violence, which often is linked to alcohol abuse.” [32] (p3)
- 6.53 As reported by Amnesty International (AI) on 2 June 2004,
- “The Mongolian parliament passed a law against violence in the family on 13 May 2004, as a result of long-term lobbying by Amnesty International (AI) Mongolia and other cooperating NGOs and AI’s Stop Violence Against Women (SVAW) campaign... The new law has some significant provisions that give protection to victims of violence in the family. Lawyers, law enforcement bodies and doctors will start training to understand the issue and the public is also encouraged to publicize violence in the family cases so that victims need not suffer in silence.” [12a]
- 6.54 As reported by Amnesty International (AI) in their 2005 Report on Mongolia, published May 2005, “A survey conducted by the National Anti-Violence Centre found that one in three women in Mongolia said they had suffered some kind of violence, and one in 10 reported harassment by their husbands. Several organizations, along with members of parliament and the government, continued drafting a bill on domestic violence.” [12] (p2)

(See also Section 6.A: [People trafficking](#))

## MARRIAGE CUSTOMS

- 6.55 As reported by the Canadian Immigration and Refugee Board (IRB) in a report dated 26 March 1999:

“Information on contemporary marriage customs in Mongolia is scarce among the sources consulted by the Research Directorate. The following information was provided by a Doctoral candidate in political science at Rutgers University, who is from Mongolia and is a former board member of Women for Social Progress in Ulan Bator, in a telephone interview with the Research Directorate (26 Mar. 1999)... With respect to arranged marriages and child betrothals the Doctoral candidate stated that those practices, which had existed as traditional practices, were made illegal and substantially eliminated under socialism, although they may yet exist in rural areas. According to the Doctoral candidate common-law marriages, interpreted as living in a marriage-like relationship without formal ceremony or registration, are very common and there is no stigma attached to this practice. Fathers in common-law relationships are held responsible for support of their children born in those relationships and women in common-law relationships will be accorded property rights by the courts.” [19a]

### MIXED MARRIAGES

6.56 The same source also stated:

“Inter-ethnic and inter-religious marriages frequently amount to the same thing as the Khalka or Mongol peoples are overwhelmingly Buddhist and the Kazakhs predominantly Muslim. The Doctoral candidate stated that no laws prohibit such marriages; however, nationalistic sentiments within both groups discourage such marriages and partners to such a marriage would likely be stigmatized and in rare cases disowned by their families.” [19a]

### CHILDREN

6.57 As reported by USSD Report 2004, “Increased stress on the family structure and throughout society has had adverse effects on many children, and the Government has been unable to keep pace with the educational, health, and social needs of this most rapidly growing segment of its population, although it is committed to children’s rights and welfare in principle.” [4b] (Section 5)

6.58 As reported by NHRCM Status Report 2003, “The building-up of legal frameworks for social protection and welfare services to the child, disabled and extremely poor by the state should be acknowledged. However, related state policies are not consistent, and absence of proactive measures for genuine implementation of long-established legislation is apparent.” [35a] (p60)

(See also Section 5: [Education system](#))

### CHILDCARE ARRANGEMENTS

6.59 As noted by the same source,

“Although the society has a long tradition of communal raising of children, societal and familial changes have orphaned many children. The Government was more willing than in the past to admit the extent of the problem, but it lacked the resources to improve the welfare of children who have become victims. NGOs continued to assist orphaned and abandoned children. The Government did not publish statistics on street children; however, the 2002

census identified approximately 1,300 homeless youths between 7 and 18 years of age. Of those, 840 lived in shelters provided by 21 children's centers sponsored by international NGOs. Groups working in the field disagreed on the number of street children, but they estimated that there were as many as 3,000. Female street children, who accounted for one third of all street children, sometimes faced sexual abuse. The Government established the National Committee for Children to address this and other child welfare problems. The Government supported two government-funded but privately owned and administered shelters, one for children from birth to age 3 and the other for children from 3 to 16 years of age. While these facilities received some government funding, it was inadequate, and foreign aid helped sustain the orphanages." [4b] (Section 5)

## ADOPTION

6.60 As reported by the Canadian IRB in a report dated 24 January 2001:

"Article 7 of the Family Law of 1973 deals with adoption. According to this article, at the time of the registration of marriage both members of the couple will agree to take the child from the previous marriage as their common child. Grandparents shall have the right to adopt their grandchildren with the agreement of the children's parents or with the authority of the orphanage. Any other case dealing with adoption of the child will be conducted through the local administration for the best interest of the child." [19c]

6.61 The same source also noted:

"Children under the age of 16 can be adopted, except a breast-fed child under one year old. For the adoption of a child, written application of the parents and the approval of the local administration have to be presented. In case of the children under 3 years of age, a medical certificate has to be issued and in case of the child over 9 years of age his/her agreement has to be presented as well. But no permission is required from those parents who have been deprived of their rights for parenthood, and those who failed to bear the responsibilities of parents and those who are mentally retarded or those whose address is not known for the last year... There does not exist any legal provision with regard to inter-country adoption, and there is no organization in charge of such adoptions." [19c]

## HOMOSEXUALS

6.62 As reported by the International Gay and Lesbian Association, ILGA (World Legal Survey: Legal provisions, 31 July 2000), there are no laws covering homosexuality. As noted by the same source, "Section 113 of Penal Code prohibiting 'immoral gratification of sexual desires', can be used against homosexuals." [18]

6.63 As noted by the Canadian IRB in a report dated 5 December 2003, information on the treatment of homosexuals in Mongolia is scarce. Citing a report by the IGLA the IRB report stated:

"Mongolia has no sodomy laws per se, but lacks any specific human rights protection on the basis of sexual orientation and does not recognize same-sex

relationships [through] a domestic partnership or civil union policy. Although Mongolia's queers fear rejection from family and friends and some have reported getting into fistfights with family, there are no organized hate groups." [19d]

- 6.64 As noted by the Asian AIDS/HIV Information Archive, accessed on 7 June 2005, the Youth Center for Gay Men was formed in 2003 and organises training about safe sex. [21] (p6)

**(See also Section 5: Medical Services – [HIV/AIDS](#))**

- 6.65 According to an article published in November 2002 by Richard Smith, who served in Mongolia as a volunteer with the US-peace Corps:

"In a country with a population of only 2.5 million, it is very difficult to get the terminal [sic] mass of gay men and lesbians to organize a simple association, let alone a commercial and retail industry to cater to their economic desires... Mongolian queers who immigrate to Europe or North America are not so much escaping persecution by the state or hate groups as they are seeking a place where they can experience their sexuality, free from the expectation that they will have a heterosexual family and kids." [24]

## POLITICAL ACTIVISTS

- 6.66 As reported by the BBC on 29 March 2004, upwards of 5,000 activists gathered in liberty square, Ulan Bator to protest against the results of the June elections on 29 March 2005. According to this report, "Protesters also accuse officials of embezzling 3.5bn tugrik (\$3m) during the elections." This report did not indicate whether of any of these activists had been detained by the police. [10d]

- 6.67 As reported by Radio Free Asia on 14 April 2005:

"On April 7, more than 2,000 supporters of the reformist Civil Movement for a Just Society marched through the capital of this vast, sparsely populated country calling on the government to step down and vowing to hold a Peoples' Assembly as an alternative to the 76-seat Parliament. The protesters ignored repeated warnings from police, marching through central Sukhbaatar Square and threatening to break into Government House – chanting 'Stop corruption!' and 'Government, step down!'" [34a]

- 6.68 The same source continued, "On March 25, about 3,000 demonstrators pushed past police and gathered on Sukhbaatar Square... These latest rallies follow more than a dozen demonstrations held since the new coalition government was formed in August 2004." [34a]

**(Section 5: [June 2004 – Parliamentary elections](#))**

- 6.69 As reported by Amnesty International (AI) in their 2005 Report on Mongolia, published May 2005:

"Lanjar Gundalai, a member of parliament for the opposition Democratic Coalition and vocal opponent of the government, was detained by plainclothes police officers as he attempted to leave the country to attend a regional conference on democracy in Singapore. Witnesses said the police showed no

arrest warrants or identity cards. A videotape of the incident allegedly showed Lanjar Gundalai's driver, who was also arrested, being choked, and his assistant being beaten. Lanjar Gundalai was released the next day without charge. No further information was available about the driver." [12 (p1)]

6.70 The same source also noted:

"Human rights lawyers were at risk of intimidation and criminal proceedings. In November [2004], L. Sanjaasuren, lawyer for Enkhbat Damiran, who was forcibly returned from France to Mongolia in 2003, was sentenced to 18 months' imprisonment in a closed trial. He was convicted of revealing a state secret while defending his client." [12] (p1)]

6.71 As reported by AI on 23 June 2005:

"Amnesty International has received conflicting reports on the level of medical attention that Lodoisambuu Sanjaasuren is receiving in detention for his serious heart condition. The Mongolian government has claimed that he is receiving adequate medical treatment. However, this assertion is contradicted by Lodoisambuu Sanjaasuren's family, who say that he has been denied access to his doctor since 3 March, and that he is in a 'critical' condition." [12c]

6.72 An earlier report by AI dated 19 May 2005,

"Lodoisambuu Sanjaasuren defended Enkhbat Damiran, who was kidnapped from France by Mongolian intelligence officers on 15 May 2003. He was a suspect in the murder of Zorig Sanjasuuren, a prominent opposition politician who was stabbed to death in his home in 1998 by unknown assassins. After his abduction, Enkhbat Damiran was taken back to Mongolia and held incommunicado at the General Intelligence Agency (GIA) headquarters in Ulaanbaatar for several days. He says intelligence officers severely tortured him to try to force him to confess to the murder. They also allegedly tried to force him to become an informer. Enkhbat Damiran had no known links to Zorig Sanjasuuren and the Mongolian authorities have not produced any evidence to link him to the murder." [12d]

**(See also Section 6.A: Human Rights Issues – General)**

#### **PAN-MONGOLIAN NATIONALIST GROUPS/SENTIMENT**

6.73 As reported by the Canadian IRB in a report dated 15 September 1999,

"No information on the treatment of political activists who support human rights, democracy and independence for the Inner Mongolia Autonomous Region (IMAR) of China, including reports of support for the Inner Mongolian People's Party, the names of local leaders and any political events/activities; whether a local branch of the Mongolian Democratic Movement was created at/affiliated to the Research Institute of Physics and Technology; reports of the presence of Chinese authorities/covert agents monitoring anti-Chinese activities; reports of activists being threatened/harmed by the Chinese while in Mongolia; and the state protection available to those political activists targeted by the Chinese, could be found among the sources consulted by the Research Directorate." [19b]

- 6.74 As reported in Volume 5, Issue 10 (May 05, 2005) of *China Brief* – available via the Jamestown Foundation’s website

“Increasing economic leverage has translated into frequent Mongolian government acquiescence to Chinese policy objectives... Mongolian officials have repeatedly acknowledged that Taiwan is part of China. They have also muted any criticism of Chinese policies in Inner Mongolia. In fact, on a visit to Inner Mongolia, [then] President Bagabandi observed that he ‘was impressed with China’s efforts to protect the culture and education of the Mongolian minority,’ a renunciation of previous Mongolian pronouncements about harsh Chinese rule in the region. Late in 2004, the Mongolian government did not protest the Chinese denial of entry into Inner Mongolia of ‘Hurd,’ a Mongolian rock band that the Chinese authorities deemed to be instigating Pan-Mongolian sentiments and thus a possible threat in Inner Mongolia. When Mongolian officials have defied the Chinese, they have felt the Chinese leadership’s wrath. In the fall of 2002, for example, they angered Beijing by allowing the Dalai Lama to visit Mongolia. The Chinese responded by stopping train traffic between China and Mongolia for several days, indicating that they could jeopardize the steady flow of essentials to Mongolia.” [22]

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## 6.C HUMAN RIGHTS – OTHER ISSUES

### TREATMENT OF ASYLUM SEEKERS/REFUGEES

- 6.75 As reported by the US State Department Report 2004 (USSD), published on 28 February 2005,

“The country is not a party to the 1951 U.N. Convention Regarding the Status of Refugees or its 1967 Protocol, and it has no laws for granting refugee status. In practice, the Government provided protection against refoulement, the return of persons to a country where they feared persecution, but it did not routinely grant refugee or asylum status. The Government continued talks with U.N. High Commissioner for Refugees (UNHCR) representatives on refugee and asylum issues... The Government cooperated with the UNHCR and other humanitarian organizations in assisting refugees. However, in recent years, authorities have denied entry to some persons claiming refugee status, having determined that these persons were ‘economic immigrants’ and not refugees.” [4b] (Section 2d)

- 6.76 As reported by the British Embassy in Ulaanbaatar in a letter dated 6 July 2005:

“Our enquiries indicate that Mongolians do not require official permission to leave the country. Furthermore information obtained from the Mongolian Immigration Service indicates that a Mongolian arriving from a foreign country at the border, without a passport, is considered to be in breach of Mongolian Law under the National Border Law and Criminal Code. As such they will be detained and transferred to the Border Intelligence Service for further questioning.

Mongolian nationals, who are accompanied by 3rd country immigration officers, are handed over to Mongolian Immigration officers with their passport or travel documents and transferred to the relevant legal authority if the accompanying immigration officer’s given background explanation is strong enough to warrant

this. If checks prove that they are in breach of Mongolian Law the person concerned will be questioned and detained at the border entry point while further enquiries are made.” [7b]

#### NORTH KOREAN REFUGEES

6.77 As reported by the *UBPost* on 25 November 2004:

“Mongolia has been surfacing as a strategic midway point in transporting North Korean defectors to third countries, including South Korea. On Monday [22 November 2004], the government said it would not want refugee camps built in Mongolia in the near future, but it would accept all refugees and defectors that crossed into the country, and it would provide food and board to those who are identified as North Korean defectors, until they go to South Korea or another nation that accepts them.” [33d]

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## Annex A: Chronology of events

Based on BBC Timeline, last updated on 24 May 2005 [10a] and CIA World Fact Book, last updated on 17 May 2005 [2]

- 1919** Outer Mongolia occupied by Chinese troops.
- 1920** The Mongolian People's Party founded by Mongolian revolutionaries.
- 1921** Chinese driven out of Mongolia by Mongolian revolutionaries with the assistance of the Soviet Red Army.
- 1924** The People's Party embraced Soviet-style socialism, re-named itself the Mongolian People's Revolutionary Party (MPRP) and proclaimed the Mongolian People's Republic.
- 1939** Joint Mongolian and Soviet forces defeated Japanese troops in battle of Halhyn Gol (Nomonhan).
- 1949** **October 6:** Newly established People's Republic of China (PRC) recognised Mongolian as independent country and agreed to establish diplomatic relations.
- 1990** Street demonstrations forced resignation of the MPRP Politburo and political parties are legalised.
- 29 July:** First democratic elections held. MPRP won 31 of the 50 seats in parliament. The remainder went to non-communist parties.
- 1992** **12 February:** New Constitution enacted. In fresh elections the MPRP won 71 of the 76 seats in parliament.
- 8 April:** New election law passed.
- 1993** **6 June:** Punsalmaagiyn Ochirbat of the National and Social Democrats was elected President.
- 1996** **30 June:** The National and Social Democrats became the first non-communist government of Mongolia.
- 1997** Natsagiin Bagabandi of the MPRP was elected President.
- 2000** **2 June:** MPRP won 72 out of 76 seats at parliamentary elections. Nambaryn Enkhbayar became Prime Minister. The National and Social Democrats and three other parties formed a new Democratic Party (DP).
- 2001** **May:** President Natsagiin Bagabandi of the MPRP was re-elected.
- 2004** **June 27:** MPRP and Motherland Democracy Coalition (MDC) each won 36 seats at parliamentary elections. Tsakhiagiin Elbegdorj of the MDC was eventually appointed as Prime Minister as part of a power-sharing deal between the MPRP and MDC.

- 2005**    **March-April:** Protesters in Ulaanbaatar (Ulan Bator) demanded the government's resignation and an end to official corruption.
- 2005**    **May:** Former Prime Minister Nambaryn Enkhbayar of the MPRP was elected President.

**(See also Section 5: [The Political system](#))**

## **Annex B Political parties**

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### **Civil Courage-Republican Party**

Founded in 2002 by merger of Civil Courage Party and Mongolian Republican Party. Chair: Sanjaasurengin Oyuun. Also known as Citizen's Will (Republican Party).

[1] (p690-691) **Also see below, MDC.**

### **Democratic Party (DP)**

Founded in 2000 as amalgamation of Mongolian National Democratic Party, Mongolian Social-Democratic Party, Mongolian Democratic Party, Mongolian Democratic Renewal Party and the Mongolian Believers' in Democratic Party. Members: 170,000 (May 2002), Chair: Mendsaikhany Enkhaikan and Sec-Gen: Luimediin Gansukh. [1] (p690-691)

**Also see below, MDC.**

### **Mongolian Democratic and New Socialist Party (MDNSP)**

Founded in 1998 and amalgamated with Mongolian Workers Party in 1999.

Members: 100,000 (May 2002), Chair: Badarchin Erdenebat. [1] (p690-691) **Also see below MDC.**

### **Mongolian Democratic Party (MDP)**

Founded in 1990 and merged with other parties to form Mongolian National Democratic Party (MNDP) in October 1992. Faction opposed to merger elected new MDP leadership. Chair: Damdindorjin Ninji. [1] (p690-691)

### **Mongolian Green Party**

Founded in 1990 as political wing of Alliance of Greens. Members: 5,000 (March 1997), Chair: Davaagin Basandorj. [1] (p690-691)

### **Mongolian Liberal Party**

Founded in 1999 as Mongolian New Liberal and Party re-named 2004. Chair: D. Banzragh. [1] (p690-691)

### **Mongolian Liberal and Democratic Party**

Founded in 1998 as Mongolian Socialists Democratic (Labour) Party. Chair: Tuvshinbatyn Tomormonkh. [1] (p690-691)

### **Mongolian Democracy Coalition (MDC)**

Won 34 seats at June 2004 Parliamentary elections. Comprises, Democratic Party (DP), Mongolian Democratic and New Socialist Party (MSNSP) and Civil Courage-Republican Party. [1] (p690-691)

### **Mongolian National Solidarity Party**

Founded 1994 as Mongolian Solidarity Party. Members: 15,480 (March 2002), Chair: Namsrain Nyam-Osor. [1] (p690-691)

### **Mongolian New Social Democratic Party**

Founded in 2000 by dissidents of the Mongolian Social-Democratic Party (MSDP). Chair: Lantuugin Damdinsuren. [1] (p690-691)

### **Mongolian People's Party MPP**

Founded in 1991 to forestall any plans by MPRP to revert back to its original name. Chair: Lama Dorligjavyn Baasan. [1] (p690-691)

### **Mongolian People's Revolutionary Party MPRP**

Founded in 1921 as Mongolian People's Party. Members: 122,000 (May 2002), Chair: Nambaryn Enkhbayar. [1] (p690-691)

**Mongolian Republican Party**

Re-registered in 2004 after a split in the leadership of the Civil Courage and Republican Party (see above). Chair: Bazarsadyn Jaralsaikhan. [1] (p690-691)

**Mongolian Rural Development Party**

Founded in 1995 as Mongolian Countryside Development Party, reorganised in December 1999. Pres: L. Chuluubaatar. [1] (p690-691)

**Mongolian Traditional United Party**

Founded in 1993 as amalgamation of United Private Owners' Party and Independence Party. Members: 14,000 (1998), Chair: Urhnghn Khurelbaatar. Also know as the United Heritage (conservatives) Party. [1] (p690-691)

**Others:**

**Mongolian People's Revolutionary Party;**  
**Mongolian Worker's Party;**  
**Mongolian Party for Tradition and Justice;**  
**Mongolian Democratic Socialist Party;**  
**Mongolian Youth Party;**  
**Mongolian Communist Party;**  
**Mongolian Local Development Party;**  
**Mongolian Civil Democratic New Liberal Party;**  
**Mongolian United Ethnographical Party.**  
[4] (p5)

## **Annex C: Prominent people**

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### **Natsagiin Bagabandi**

President of Mongolia 1997 to May 2005 (MPRP). [10a] [2]

### **Nambaryn Enkhbayar**

President of Mongolia elected May 2005 (MPRP). [10e] [2]

### **Tsakhiagiin Elbegdorj**

Prime Minister of Mongolia appointed September 2004 (MDC). [1] (p690-691)

### **Punsalmaagiyn Ochirbat**

President of Mongolia June 1993 to 1997 (National and Social Democrats). [10h] [2]

## Annex D Glossary – Mongolian terms

Aimags	Provinces
Ger	Traditional Mongolian tent
Great Khural (Hural)	Parliament
Khural	Local Council
togrog (tugrik)	Mongolian currency
Soums	Counties
Ulaanbaatar (Ulan Bator)	'red hero', national capital

## **Annex E: List of source material**

The Home Office is not responsible for the content of external Internet sites.

- [1] **Europa publications, Regional Surveys of the World: The Far East and Australasia, 2005**
- [2] **CIA World Fact Book, Mongolia last updated 17 May 2005**  
[accessed 3 June 2005]  
<http://www.cia.gov/cia/publications/factbook/index.html>  
<http://www.cia.gov/cia/publications/factbook/geos/mg.html>
- [3] **Lonely Planet, Map of Mongolia** [accessed 3 June 2005]  
[http://www.lonelyplanet.com/mapshells/north\\_east\\_asia/mongolia/mongolia.htm](http://www.lonelyplanet.com/mapshells/north_east_asia/mongolia/mongolia.htm)
- [4] **US State Department (USSD) Background Notes: Mongolia, updated August 2004** [accessed 3 June 2005]  
<http://www.state.gov/>  
<http://www.state.gov/r/pa/ei/bgn/2779.htm>
- a International Report on Religious Freedom for 2004, published 15 September 2004 [accessed 3 June 2005]  
<http://www.state.gov/g/drl/rls/irf/2004/35419.htm>
- b Country Report on Human Rights Practices for 2004, published 28 February 2005 [accessed 19 May 2005]  
<http://www.state.gov/g/drl/rls/hrrpt/2004/41652.htm>
- c Trafficking in Persons Report 2005, published on 3 June 2005 [accessed 6 June 2005]  
<http://www.state.gov/g/tip/>
- [5] **Transparency International (TI), Corruption Perception Index 2004** [accessed 3 June 2005]  
<http://www.transparency.org/index.html>
- [6] **UN Agencies**
- a *UN in Mongolia, More than third of Mongolians live in Poverty*, 10 December 2004 [accessed 20 May 2005]  
<http://www.un-mongolia.mn>  
<http://www.un-mongolia.mn/index.php?name=News&file=article&sid=309>
- b *UN Development Programme, Electoral Reform in Mongolia*, 9 March 2005 [accessed 16 August 2005]  
<http://www.undp.mn/index.php?name=Content&pa=showpage&pid=117>
- c United Nations Human Rights: Convention Against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment (CAT) – Mongolia [accessed 16 August 2005]  
<http://www.unhchr.ch/tbs/doc.nsf/22b020de61f10ba0c1256a2a0027ba1e/80256404004ff315c125638b005e770d?OpenDocument>
- d *Democratic Governance: Strengthening Human Rights in Mongolia*, 2 July 2004 [accessed 13 September 2005]  
<http://www.undp.mn/index.php?name=News&file=article&sid=126>
- e UNHCR comments to the Advisory Panel on Country Information on the October 2004 Home Office Country Report for Mongolia. 8 March 2005.  
[www.apci.org.uk](http://www.apci.org.uk)
- f The UN Special Rapporteur on Torture End Visit to Mongolia, 13 June 2005
- [7] **Foreign and Commonwealth Office**

- a Country Profiles: Mongolia, last reviewed 23 May 2005  
[accessed 21 June 2005]  
<http://www.fco.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1007029390554>  
<http://www.fco.gov.uk/servlet/Front?pagename=OpenMarket/Xcelerate/ShowPage&c=Page&cid=1007029394365>
- b Letter from British Embassy in Ulaanbaatar dated 6 July 2005
- [8] **Mongolia Constitution, International Constitutional Law (ICL)**  
[accessed 3 June 2005]  
<http://www.oefre.unibe.ch/law/icl/index.html>
- [9] **Radio Australia, Country Profile: Mongolia** [accessed 3 June 2005]  
<http://abc.net.au/ra/news/default.htm>  
<http://abc.net.au/ra/news/indepth.htm>
- [10] **BBC News**  
<http://news.bbc.co.uk/1/hi/world/asia-pacific/default.stm>
- a *Timeline: Mongolia*, last updated 24 May 2005 [accessed 3 June 2005]  
[http://news.bbc.co.uk/1/hi/world/asia-pacific/country\\_profiles/1235612.stm](http://news.bbc.co.uk/1/hi/world/asia-pacific/country_profiles/1235612.stm)
- b *Mongolia's return to religion*, 31 July 2003 [accessed 20 May 2005]  
<http://news.bbc.co.uk/2/hi/asia-pacific/3113839.stm>
- c *Mongolia opposition makes gains*, 28 June 2004 [accessed 24 May 2005]  
<http://news.bbc.co.uk/2/hi/asia-pacific/3845639.stm>
- d *Mongolians protest for new poll*, 29 March 2005 [accessed 24 May 2005]  
<http://news.bbc.co.uk/2/hi/asia-pacific/4389623.stm>
- e *Ex-communists win Mongolian race*, 23 May 2005 [accessed 24 May 2005]  
<http://news.bbc.co.uk/2/hi/asia-pacific/4570067.stm>
- [11] **Criminal Code of Mongolia** [accessed 3 June 2005]  
[www.unhcr.org/cgi-bin/texis/vtx/rsd/rsddocview.pdf?CATEGORY=RSDLEGAL&id=3ed919fd4](http://www.unhcr.org/cgi-bin/texis/vtx/rsd/rsddocview.pdf?CATEGORY=RSDLEGAL&id=3ed919fd4)
- [12] **Amnesty International (AI), 2005 Report on Mongolia covering events from January to December 2004, published May 2005** [accessed 26 May 2005]  
<http://web.amnesty.org/report2005/mng-summary-eng>
- a *NGOs claim victory against violence in the family*, 6 June 2004  
[accessed 3 June 2005]  
<http://news.amnesty.org/index/ENGASA306022004>
- b Regional Asia Pacific Offices, undated [accessed 29 June 2005]  
<http://asiapacific.amnesty.org/apro/APROweb.nsf/pages/index>  
[http://asiapacific.amnesty.org/apro/APROweb.nsf/pages/members\\_mongolia\\_debatingdp](http://asiapacific.amnesty.org/apro/APROweb.nsf/pages/members_mongolia_debatingdp)
- c ASA 20/002/2005, Mongolia: Further information on: Medical/ Legal Concerns/ Prisoner of Conscience Lodoisambuu Sanjaasuren, 23 June 2005 [accessed 29 June 2005]  
<http://web.amnesty.org/library/Index/ENGASA300022005?open&of=ENG-MNG>
- d ASA 30/001/2005 Mongolia: Medical/ Legal Concerns/ Prisoner of Conscience, Lodoisambuu Sanjaasuren, 19 May 2005  
[accessed 16 August 2005]  
<http://web.amnesty.org/library/index/ENGASA300012005?open&of=ENG-MNG>

- [13] **Institute for Prison Studies: Prison Brief for Mongolia** [accessed 27 May 2005]  
<http://www.prisonstudies.org/>
- [14] **World Health Organization (Regional Office for the Western Pacific, Manila, Philippines) Country Profile: Mongolia** [accessed 3 June 2005]  
<http://www.who.int/countries/mng/en/>
- [15] **Reporters Reporters Without Borders**  
[http://www.rsf.org/rubrique.php3?id\\_rubrique=20](http://www.rsf.org/rubrique.php3?id_rubrique=20)  
a Mongolia – 2003 Annual Report [accessed 1 June 2005]  
[http://www.rsf.org/country-50.php3?id\\_mot=262&Valider=OK](http://www.rsf.org/country-50.php3?id_mot=262&Valider=OK)  
b Worldwide Press Freedom Index 2004 [accessed 16 August 2005]  
[http://web.linux.ca/pedia/index.php/Reporters\\_Without\\_Borders](http://web.linux.ca/pedia/index.php/Reporters_Without_Borders)
- [16] **UN Commission on Human Rights – Original title: Report of Asma Jahangir, Special Rapporteur on freedom of religion or belief – Summary of cases transmitted to Governments and replies received (E/CN.4/2005/61/Add.1)**
- [17] **Agency Estimates that 300-400 Undiagnosed HIV Cases in Mongolia, 7 December 2004, BBC Monitoring, Montsame web site** [accessed 2 June 2005]
- [18] **The International Lesbian and Gay Association ILGA (World Legal Survey: Legal provisions, 17 July 2000** [accessed 3 June 2005]  
[http://www.ilga.info/Information/Legal\\_survey/Asia\\_Pacific/mongolia.htm](http://www.ilga.info/Information/Legal_survey/Asia_Pacific/mongolia.htm)
- [19] **Canadian Immigration and Refugee Board (IRB)**  
[http://www.cisr-irb.gc.ca/en/INDEX\\_E.htm](http://www.cisr-irb.gc.ca/en/INDEX_E.htm)  
a MNG31445.E Mongolia: Contemporary marriage customs, including information on customs in Ulan Bator, arranged marriages, child betrothals, common law relationships, inter-ethnic marriages between Khalkas and Kazakhs, inter-religious marriages between Muslims and Buddhists, 26 March 1999 [accessed 7 June 2005]  
b MNG32672.E Mongolia: Treatment of political activists who support human rights, democracy and independence for the Inner Mongolia Autonomous Region (IMAR) of China, including reports of support for the Inner Mongolian People's Party (IMPP), the names of local leaders and any political events/activities; whether a local branch of the Mongolian Democratic Movement was created at/affiliated to the Research Institute of Physics and Technology; reports of the presence of Chinese authorities/covert agents monitoring anti-Chinese activities; reports of activists being threatened/ harmed by the Chinese while in Mongolia; and the state protection available to those political activists targeted by the Chinese (from 1993-September 1999), 15 September 1999 [accessed 7 June 2005]  
c MNG36390.E Mongolia: Child adoption; procedures, requirements and documentation (1995-January 2001), 24 January 2001 [accessed 7 June 2004]  
d MNG42200.E Mongolia: Update to MNG31446.E of March 1999 on the current treatment of homosexuals by the authorities, 5 December 2003, Canadian Immigration and Refugee Board (IRB)
- [20] **Mongolian Ministry of Health, Health Situation Reports – Country Profile on Mental Health in Mongolia (2004)** [accessed 7 June 2005]

- <http://www.moh.mn/>  
<http://www.moh.mn/moh%20db/HealthReports.nsf/0/9f8045dcd52d6fbcc8256f2c003276b3?OpenDocument&Click=>
- [21] **Asian AIDS/HIV Information Archive, Mongolia** [accessed 7 June 2005]  
<http://www.utoxia-asia.com/aids.htm>
- [22] **China Brief Volume 5, Issue 10 (May 05, 2005) available via the Jamestown Foundation**  
<http://www.jamestown.org/>  
[http://www.jamestown.org/publications\\_details.php?volume\\_id=408&&issue\\_id=3322](http://www.jamestown.org/publications_details.php?volume_id=408&&issue_id=3322)
- [23] **Mongolian Embassy in India**  
<http://www.mongemb.com/destinations.htm#shamanism>  
a General Information [accessed 7 June 2005]  
b Places of Interest [accessed 7 June 2005]
- [24] **IIAS, *Queer Mongolians: Is isolation their destiny*, November 2002** [accessed 8 June 2005]  
[http://www.iias.nl/iiasn/29/IIASNL29\\_14.pdf](http://www.iias.nl/iiasn/29/IIASNL29_14.pdf)
- [25] **Forum 18, *Mongolia: Religious Freedom survey*, December 2003, published 15 December 2003** [accessed 8 June 2005]  
<http://www.forum18.org/index.php>  
[http://www.forum18.org/Archive.php?article\\_id=213](http://www.forum18.org/Archive.php?article_id=213)
- [26] **Worldwide Religious News (WWRN), "1st Bishop Named for Mongolia." 18 August 2003** [accessed 8 June 2005]  
<http://www.wwrn.org/index.php>
- [27] **Yahoo currency converter** [accessed 21 June 2005]  
<http://finance.yahoo.com/currency/convert?amt=1&from=GBP&to=MNT&submit=Convert>
- [28] **WHO Project Atlas (a project of the Department of Mental Health and Substance Dependence, WHO, Geneva)** [accessed 21 June 2005]  
<http://www.cvdinfobase.ca/mh-atlas/>
- [29]
- [30] **US Embassy in Mongolia, USAID in Mongolia, Annual Report 2004** [accessed 29 June 2005]  
<http://us-mongolia.com/home/index.shtml>  
<http://us-mongolia.com/usaidmongolia/annlrpt.shtml>
- [31] **CNN Election Watch, *Mongolia, Parliamentary*, 27 June 2004** [accessed 29 June 2005]  
<http://www.cnn.com/WORLD/election.watch/>  
a CNN Election Watch, *Mongolia, Presidential*, 22 May 2005 [accessed 29 June 2005]
- [32] **Freedom House, *Freedom in the World, Mongolia 2004***  
<http://www.freedomhouse.org/>

<http://www.freedomhouse.org/research/freeworld/2004/countryratings/mongolia.htm>

**[33] UBPost**

- a *Mongolia signs UN anti-corruption convention*, 5 May 2005  
[accessed 16 August 2005]  
[http://ubpost.mongolnews.mn/index.php?subaction=showfull&id=1115275877&archive=&start\\_from=&ucat=1&](http://ubpost.mongolnews.mn/index.php?subaction=showfull&id=1115275877&archive=&start_from=&ucat=1&)
- b *UN rapporteur visits Mongolia to make assessment on torture*, 16 June 2005 [accessed 16 August 2005]  
[http://ubpost.mongolnews.mn/index.php?subaction=showfull&id=1118891989&archive=&start\\_from=&ucat=1&](http://ubpost.mongolnews.mn/index.php?subaction=showfull&id=1118891989&archive=&start_from=&ucat=1&)
- c *Death after police detention raises torture accusations*, 29 June 2005  
[accessed 16 August 2005]  
[http://ubpost.mongolnews.mn/index.php?subaction=showfull&id=1120044248&archive=&start\\_from=&ucat=1&](http://ubpost.mongolnews.mn/index.php?subaction=showfull&id=1120044248&archive=&start_from=&ucat=1&)
- d *Mongolia to continue accepting North Korean Asylum Seeker*, 25 November 2004 [accessed 13 September 2005]  
[http://ubpost.mongolnews.mn/northkorea.php?subaction=showfull&id=1101360272&archive=&start\\_from=&ucat=17&](http://ubpost.mongolnews.mn/northkorea.php?subaction=showfull&id=1101360272&archive=&start_from=&ucat=17&)

**[34] Radio Free Asia**

- a *Protests Escalate Ahead of Mongolia Poll*, 14 April 2005  
[accessed 16 August 2005]  
[http://www.rfa.org/english/news/politics/2005/04/14/mongolia\\_protest/](http://www.rfa.org/english/news/politics/2005/04/14/mongolia_protest/)

**[35] National Human Rights Commission of Mongolia (NHRCM)**

- a Human Rights and Freedoms in Mongolia - Status Report 2003  
[http://www.un-mongolia.mn/index.php?name=Downloads&d\\_op=viewdownload&details&lid=54](http://www.un-mongolia.mn/index.php?name=Downloads&d_op=viewdownload&details&lid=54)

**[36] Mongolian Civil Proceedings Law (Civil Code) 2002** (courtesy of the British Embassy in Ulaanbaatar)